

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Service – Agriculture Department – Sri P.Venkateswarlu, Senior Assistant (Retd) Office of the ADA @ Garla, Khammam district – Penalty of dismissal from service imposed by Commissioner & Director of Agriculture, A.P. Hyderabad – Penalty Reviewed – Reduced the penalty imposed by C&DA – Dismissal period from 9-8-2002 to 31-3-2006 treated as eligible leave – Orders – Issued.

AGRICULTURE AND COOPERATION DEPARTMENT

G.O.Rt.No 1306

Dated:16 -09-2010

Read the following:-

1. Proceedings No: Vig.I(2)/78/2000, Dated: 1.8.2002, of the C&DA, Hyd.
2. G.O.Rt.No. 738, A&C (Vig.I) Detp., dated 25-6-20089.
3. Govt.Memo.No. 10485/Vig.I.2/2009-2, dated 17.2.2010.
4. From Sri P. Venkateswarlu, Sr. Asst. (Retd) representation dated 10.3.2010.
- 5.. From the C&DA, AP, Hyderabad Lr.No. Vig.III(1)199/08, dated 01.05.2010

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ORDER

In the reference 1st read above, the Commissioner & Director of Agriculture, Hyderabad has imposed a penalty of dismissal from service against Shri P.Venkateswarlu, former Sr. Assistant, office of the Assistant Director of Agriculture, Garla, Khammam, for the irregularities reported by the Audit party were proved in a regular Inquiry vide reference 1st cited. Aggrieved by the penalty, the individual has filed a petition before the Hon'ble A.P.A.T. against the dismissal orders. The Hon'ble Tribunal in its judgment uphold the orders of the dismissal imposed by the Commissioner & Director of Agriculture, Hyderabad. Aggrieved with the above Shri P. Venkateswarlu has filed W.P.No: 21510/2004 in Hon'ble High Court, and requested the Hon'ble High Court to set aside the Tribunal orders. The Hon'ble High Court of Andhra Pradesh have set aside the Tribunal orders, dated: 14.09.2004, with liberty to the petitioner to avail his remedy before the appellate authority ie., Government.

2. In the reference 2nd cited, keeping in view of the judgment of the Hon'ble High Court of Andhra Pradesh. Government after careful examination of the mater with reference to the records and the report submitted by the Commissioner & Director of Agriculture, Hyderabad, have observed that the amount relating to Charge I is already recovered, and the context of the charges 2 & 3 do not warrant dismissal, and that the Senior Assistant has already retired from Government service after a service of over 35 years. Therefore, Government considered to take a lenient view and modified the penalty of dismissal from service imposed against him by the Commissioner & Director of Agriculture, Hyderabad to that of a penalty of 15 % pension cut for a period of 3 years, besides recovery of Rs.1,130/- relating to Charge II, from the individual.

3. In the reference 3rd read above, Government have issued orders rejecting the request of the individual and disposed off the petition of the Sri P.Venkateswarlu, Senior Assistant (Retd) treating the period from the date of dismissal to actual date of retirement of the individual i.e., from 9-8-2002 to 31-3-2006 as 'Not duty'.

4. In the reference 4th read above, Sri P.Venkateswarlu, Senior Assistant (Retd) has again represented to the Special Chief Secretary, Agriculture & Cooperation Department praying the Government to drop 15% pension cut of three years besides recovery of Rs. 1130/- Cargill amount and to treat the dismissal period as ON DUTY as he is poor low paid servant and pertains to backward class and if not possible treat the dismissal period as leave whichever he is eligible and in the reference 5th read above, the Commissioner & Director of Agriculture, AP, Hyderabad has forwarded the representation of the individual and requested to issue suitable orders in the matter.

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5. Government after careful examination of the matter hereby order to treat the dismissal period from the date of dismissal to actual date of retirement of Sri P.Venkateswarlu, Senior Assistant (Retd) i.e., from 9-8-2002 to 31-3-2006 as leave to which he is eligible on humanitarian grounds and the petition is accordingly disposed off.

6. The Commissioner & Director of Agriculture, Hyderabad shall take necessary action accordingly.

7. This order issues with the concurrence of Finance(FR.I)Department vide their U.O.No. 18362/398/FR.II/10, dated 11.8.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHR PRADESH)

RACHEL CHATTERJEE,
SPECIAL SECRETARY TO GOVERNMENT.

To
Sri P.Venkateswarlu, Sr. Asst. (Retd)
Office of the ADA @ Garla, Khammam district
(through Commissioner & Director of Agriculture., A.P., Hyderabad).
Copy to: The Commissioner & Director of Agriculture, Hyderabad.
Sf/SC.

//Forwarded:: By Order//

SECTION OFFICER.